

FARMERS GO TO LAW OVER SHADE TREES.

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OVER SHADE TREES.**

Costs in Damage Suit for Five Dollars Aggregate \$209—Land Involved Is Worth \$15.

Unfortunately a few willow trees are located on the land owned by Hoelz, and these trees shade about a quarter of the

A suit was instituted in the court of Justice, residing in Jamestown, where

judgment was entered against the defendant for \$1 and costs. Roeding appealed to the Clinton County Circuit Court and last again won. He then, through his attorney, asked for an appeal to the Appellate Court, which request was granted by Judge S. L. Dwight.

The case will prove to be quite expensive before it is finished. The costs and attorney fees on both sides now amount to more

INHERITANCE TAX ATTACKED.
Arguments Against Its Validity
Before Supreme Court in Banc.

Jackson City, Nov. 17.—The case of State ex rel. Path vs. Henderson was argued before the Supreme Court in public to-day. This case involves the constitutionality of the collateral inheritance tax enacted by the last General Assembly. The validity of the tax is attacked by Judge Silas B. Jones and Montgomery Lyon of St. Louis, representing Oliver J. Path, executor of the will of Anna Path, deceased, assisted by Judge Daniel Dillon of St. Louis.

Attorney C. W. Wilson of St. Charles, Mo., filed a *Trelas amicus curiae*, representing the estate of Mary A. Watson, deceased, pending in the Probate Court of St. Charles County. He also attacks the law on ground of unconstitutionality.

The attorneys for relator and the amicus contend that the act of April 13, 1900, known as the collateral inheritance tax law, is void because in violation of the inheritance tax laws of the United States, 34, 46 and 48 of article 2, of the Constitution.

"Because it lacks uniformity. It does not tax the devolution of all property alike. It does not tax alike all bearing the same degree of relationship to the testator or intestate."

"It exempts from taxation property given to educational, religious or charitable purposes, contrary to the provisions of that Constitution."

"As the law imposes a tax for State purposes, it is subject to the provisions of the

...that Jones is largely in excess of the rate authorized by the Constitution."

Another point of assistance on the part of the relation, upon which Judge Jones laid special stress, is that the statute is in direct conflict with section 43 of article 4 of the Constitution, upon which he presented the constitutional argument. He further urged the conflict on that the statute clearly conflicts with the manifest intent of the organic law of the State.

Members
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C. P. P.

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UNIVERSAL
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and friends

Secretary

"The people of the State, through their representatives in three successive legislatures, have declared in favor of this form of taxation. It has been in force for years in a number of our sister States, and has no objectionable features. The objectionable features of the acts of 1895 and 1897, to which this court called attention in the *Switzer* case, have been omitted. The act of 1899 has been made to conform to the act of 1897, and concluded by saying:

that opinion, and no substantial objection can be made to its validity."

In the case of *Margaret Sharp vs. Missouri Pacific Railway Company*, a damage suit from Jackson County, was argued and submitted.

In the case of *Butler County vs. Boatman's Bank*, a motion to advance was filed by Judge E. R. Lentz of Poplar Bluff.

In motion of Judge Elijah Robinson of Kansas City, Heywood Scott of Rolla, Mo.,

Supreme Court.
The case of Yocum vs. Slier, an appeal from Platte County, was submitted on briefs.
First National Bank of St. Charles vs. Standard Shoe Company; appeal dismissed by appellant.
State ex rel. Wheeler vs. Adams, County Treasurer of Butler County; submitted on briefs.

HAVANA DELEGATES SEATED.
Cuban Convention Adopts Credentials Committee's Report.

Havana, Nov. 17.—The constitutional convention held a short session to-day. Secretary of State Taft

The report of the committee on rules was laid upon the table. It will be

Monday.
General Lee has left Fort Worth Castle.
United States Secretary of War Root and party are on the Cauto River. They report good luck at snipe and alligator shooting. They probably will start for Santiago tomorrow.

County Officials Say It Shall
"Wide Open Town" No Longer.

day liquor selling. All the gambling-houses suspend business to-night and to-morrow. All of the saloons will be closed.

Fort Worth has generally been run as a wide-open town, the rule being to fine gamblers once a month and let the Sunday liquor sellers compromise by paying one fine a month, the lowest fine being assessed in each case, but all of the costs put on. The liquor dealers are the only ones prosecuted for violation of the Sunday

DESERTED BRIDE OF TWO DAYS.
Illinois Man's Wife Gets Divorce on
Unusual Complaint.
REPUBLIC SPECIAL
Corydon, Mo., Jan. 7.—(Associated Press.)—

granted by Judge H. B. Brown, 1895. Among the divorces granted by Judge Brown was that of the present term of court was sought by Mrs. Caroline Mann of Huey, from George Mann. She alleged, in her petition, that her husband deserted her after remaining with her only two days after the nuptial knot was tied.

The recalcant husband failed to explain why he deserted his bride and the decree was granted. The complainant in the case is a member of an influential family residing in Clement, Tennessee.

Militia Election Confirmed.
REPUBLICAN SPECIAL.
 Springfield, Ill., Nov. 17.—The election of J. W. Rose and Henry Kern to be First and Second Lieutenants, respectively, of Company D, Second Infantry, I. N. G., was confirmed to-day by Adjutant General Reece.

Bank Robbery at Bluffs.
REPUBLIC SPECIAL.
 Winchester, Ill., Nov. 17.—Burglars robbed the Bank of Bluffs, at the Village of Bluffs, in this county, last night. The safe was blown open and about \$2,000 in cash was stolen. A suspect was arrested at Jacksonville to-day.

